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MAY SHIP LIQUOR INTO ARIZONA FOR PERSONAL USE

Holds No Crime to Drink or Possess
Liquor, Therefore Unconstitutional
to Prohibit Introduction for Personal
Use.

That one may bring liquor into the state of Arizona for personal use was held by the supreme court last Saturday in an opinion reversing the court below in the case of W. J. Sturgeon, appellant against the state respondent, from Yuma county. The defendant had been tried for introducing a bottle of wine across the line at Yuma. His demurrer on the ground that the liquor was introduced for his personal use was overruled. At the trial he sought to prove that the liquor was brought in for that purpose, but proof was denied. That was held to be error and the case was reversed and remanded for a new trial.

After quoting section 1 of the prohibition amendment, the court finds that three crimes defined and denounced: The traffic in intoxicating liquors, the manufacture of intoxicating liquors, and introducing or attempting to introduce intoxicating liquors. The opinion then deals with the contention of the appellant at his trial that the prohibition of the introduction of liquor is unconstitutional as an attempt to regulate interstate commerce. The various laws relating to liquor in interstate commerce were then cited, with decisions bearing upon them up to the Webb-Kenyon law, "an act divesting intoxicating liquors of their interstate character in certain cases." That act forbids the taking of liquor into any state, "to be received, possessed, sold or in any manner used either in the original package or otherwise, in violation of any law of such state."

A quotation is made from Justice Day's opinion in the case of the Adams Express company vs. Kentucky, showing to what extent congress has extended prohibition of the act with reference to interstate shipments and a quotation is also made from the court's own decision in the Ghera case last spring, upholding the right of the state to enact such legislation as had been enacted in the prohibition amendment.

The opinion continues:
"It being settled that traffic in intoxicating liquor in this state is a crime, it follows that the shipment, transportation or introduction of intoxicating liquor into the state with the intention to sell, barter, exchange give away, or dispose of, divests, under the Webb-Kenyon act, such intoxicating liquor of its interstate commerce character and leaves the state free in the exercise of its police powers to denounce such introduction as a crime and to prescribe penalties for its commission. In other words, one who introduces intoxicating liquor into the state with the purpose and intention of violating the laws of the state by disposing of the same may not now interpose the defense that he is engaged in interstate commerce, for the reason that the article that he is handling has been invested of its interstate character by the Webb-Kenyon act. Intoxicating liquor, in the aspect of being received, possessed, or kept, or in some way used in a manner prohibited by the laws of the state to which it is to be, or is in fact, imported," is an outlaw and divested of its interstate character and withdrawn from interstate protection at the hands of the federal government."

Coming to the chief issue in the same, the court says:

The appellant sought to show by preference, that the liquor with which he is charged with introducing into the state was for his personal use, upon the theory that the prohibition amendment to the constitution does not denounce or define personal use of intoxicating liquors as a crime. It contends that it is not unlawful in this state to have in possession or to drink intoxicating liquors; that the Webb-Kenyon act does not divest or attempt to divest intoxicating liquors of their interstate character when shipped, transported or introduced into the state from without the state to be possessed or used for a lawful purpose.

Search the prohibition amendment and you will, there is no suggestion or information in any form contained therein, prohibiting the possession or individual consumption of intoxicating liquors in Arizona. Indeed, it was freely admitted upon the argument by counsel who appeared as amici curia that it is not a crime to possess or drink intoxicating liquors in Arizona, and while the attorney general, at least in a brief, insists that the use or possession is a crime, he fails to cite us to a single instance where a prosecution has been begun in any county of the state against any person for drinking intoxicating liquors or having it in his possession.

The records of the courts throughout the state evidence many prosecutions for the sale of intoxicating liquors since the prohibition amendment went into effect. It is common knowledge that personal use has been more or less prevalent throughout the state and the effort has been not to punish the user, but the seller thereof. The bootlegger and not his patrons have had the attention of the

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MME. VICTOR DE MAURTUA



The second Pan-American Scientific congress brought to Washington many of the noted beauties of the South American republics. The one in the picture is Mme. Victor de Maurtua, wife of the delegate from Peru.

PASSENGER TRAIN KILLS SAFFORD BOY AT CROSSING

Passenger train kills Safford

Collision Between Automobile and
Globe Train in Gila Valley Ends
Fatally for Fifteen Year Old Boy.

SAFFORD, Feb. 16.—Voris Horem, 15 year old son of Reverend Horem of Safford was killed and Oscar O'Brien, son of Mrs. O'Brien, proprietor of the Gila Valley Furnishing company, also of Safford, was painfully injured last night when the Globe-bound passenger train struck an automobile in which the boys were riding, one mile and a half south of Lone Star station.

The tragedy occurred so swiftly that no steps could be taken to avoid it. Just as the speeding train approached a crossing. Fireman Zimmerman saw an automobile drive into the circle of light thrown by the locomotive. Before the engineer could apply the brakes the machine and its occupants had been hurled from the tracks. The train was brought to a halt as quickly as possible and the passengers streamed forth to discover the cause of the abrupt halt.

Deputy Sheriff Gilmer was the first to reach young Horem who was found fully a hundred yards from the spot where the accident occurred. The boy had a terrible gash in the side of his head, believed to have been caused by striking a wheel of the automobile, which was lying near him and he was bleeding profusely. Examination disclosed that the lad was still living. O'Brien was found to be badly shaken up and bruised, having been thrown about forty yards, but was not seriously injured.

Both unfortunates were placed on stretchers, and without waiting to clear up the track, the train made a record run to Safford to obtain medical aid. However, the efforts of the railroad men were of no avail, as young Horem passed away a few moments after he was placed on the car. A doctor, who examined the body at Safford gave it as his opinion that the boy's neck was broken.

Oscar O'Brien who is but thirteen years of age, was unconscious but a few moments. When he was able to speak coherently, he stated that neither he nor his comrade had seen or heard the train before the accident and that until he was revived on the train, he was not aware what had struck the automobile.

SONORA DISTRICTS ARE PROSPECTED FOR TUNGSTEN

DOUGLAS, Arizona, Feb. 9.—Tungsten bearing ores are to be sought in Sonora. Already a number of prospectors are seeking the valuable metal in the districts to the south of Douglas and some fair samples are beginning to reach this city from Sonora fields.

The San Nicolas mine, in the Sahuaripa district, owned by James S. Douglas, of this city, is at present the only producing tungsten property to the south of Douglas, as nearly as can be learned. It is making regular shipments through Nacozari and has been for a long time. This property is said to contain large ore bodies bearing tungsten in commercial percentages.

G. O. P. LEADERS PUT FORTH SLATE FOR PRIMARIES

Tom Campbell Has Been Decided
Upon For Governorial Nomination
With Hon. Jos. H. Kibbey For U.
S. Senate.

A dispatch from Phoenix headed "Arizona G. O. P. Slate Prepared; Tentative State Ticket Is Selected as Feeler, But Is Subject to Changes," says:

Here is just about the way the Arizona Republican ticket is going to look this year:

U. S. Senator, Joseph H. Kibbey, Phoenix.

Congressman, J. Knox Corbett, Tucson.

Governor, Thomas E. Campbell, Prescott.

Secretary of State, Ralph G. Whitmarsh, Phoenix.

Auditor, Joe V. Prochaska, Miami.

Treasurer, J. Myron Allred, Safford.

Corporation commissioner, Thomas Maddock, Williams.

Attorney general, E. S. Clark, Prescott.

School superintendent, Charles F. Philbrook, Bisbee.

Tax Commissioner, Rudolph Kuchler, Glendale.

Supreme judge, Frank O. Smith, Prescott.

Mine Inspector, J. M. Smith, Bisbee.

This is the slate. It is tentative and several changes are almost sure to be made. But the leaders, in organizing the G. O. P. throughout the state, are going on the theory that these men will be candidates at the primaries. They are accepting suggestions from no matter what source. They accepted and considered many suggestions before they decided to put forth the above ticket as a "feeler."

Care Taken to Pick Good Ones

The greatest of care has been exercised to select men who are not only popular and good campaigners, but who are competent to fill the offices. A number of disinterested parties, personally acquainted with practically all the candidates, are of the opinion that it would be hard to put forth a ticket more likely to get the support of voters. Kibbey, Campbell, Prochaska, Philbrook, and the two Smiths are perhaps the strongest men on the suggested ticket but not one is a "weak sister."

One Question Settled

The leaders debated long and earnestly whether it would be wiser to run Kibbey or Campbell for governor. This matter was decided by the men themselves. Kibbey was governor of Arizona in territorial days and would rather go to Washington than back to that office. Campbell believes that he would have little opportunity to serve Arizona in the senate and stated positively that he would be a candidate for governor or nothing. So it was settled.

It is quite possible that Kibbey will not be the only person to go before the Republican voters at the primaries as a candidate for senator. Robert E. Morrison, of Prescott, has announced that he would like very much to be senator.

Kibbey is willing. "We want the strongest candidates we can get and if Mr. Morrison can get more votes at the primaries it is likely that he can get more at the election," remarked Kibbey.

Campbell Wants Clear Field

Campbell, on the other hand, insists that he be not opposed at the primaries. He wants to feel sure that there is a general demand for his services in the governor's chair.

J. Knox Corbett has not figured until recently in the plans of the Republicans. For a number of years he was postmaster of Tucson and he is strong throughout the southern counties. In the north he is not so well known, but he is a good campaigner and a first-class "mixer."

ELKS INITIATE

Wednesday Night Was Big Night in
Clifton Lodge No. 1174

One of the largest classes for initiation into the order of Elksdom was put through the ritualistic exercises in the lodge room of Clifton Lodge No. 1174 on Wednesday evening. Nineteen candidates presented themselves for initiation the exercises being under the direction of Exalted Ruler P. Riley, assisted by Grand District Deputy Joe Prochaska, who came here from Globe for this occasion. More than one hundred Elks attended the meeting. At the conclusion of the initiation a banquet was served in the Library building. The antlered herd was increased by the following members: Messrs. Elliott, Lins, Cooper, Nielsen, Cashion, Spriggs, Axton, G. L. Crawford, T. B. Smith, J. C. Gaines, Tyner, Vanask, J. J. Jones, Wade Hampton, W. S. Bradfield, Payne, E. C. Heck, Clement.

NEW ORE BODY OPENED IN UNITED VERDE EXTENSION

JEROME, Arizona, Feb. 9.—Another ore body, 75 feet in width, has been opened on the 1400 foot level of the United Verde Extension mine formerly known as the Little Daisy. Though the officials of the U. V. E. company refuse to discuss this new strike, it is known that the ore averages from 15 to 26 per cent copper.

SUPERIOR COURT IS ADJOURNED UNTIL MAY TERM

Trial Jury Only in Session Two Days
—One Conviction Secured For
Bootlegging—Several Cases Con-
tinued For Term.

The trial jury of the February term of the Superior Court which was empaneled on Tuesday morning last was excused on Thursday evening for the term as all cases ready for trial at that time had been disposed of.

When the jury was empaneled on Tuesday morning it was discovered that a number of jurors had not been served owing to their removal from the county and in order to complete the panel the Court ordered that a special venire for fifteen be issued and placed in the hands of the sheriff for service. The jury members present were then excused until Wednesday morning when the sheriff returned the following jurors: D. W. P. Eylar, Chas. Burman, T. M. George, L. J. Upham, Jas. Bartlett, George Younger, Phil Aiton, Harry Hinch, F. H. Thompson, W. H. Lantz, C. H. Farnsworth, Jack McKeenan, J. A. Wish, W. O. Ashley and C. M. Ullery.

The first case tried on Wednesday was State of Arizona vs. J. W. Winders, charged with a violation of the prohibition amendment by selling a bottle of whiskey to a Mexican. A jury consisting of Minor Roscoe, J. H. Cready, N. T. Holt, Ola Sexton, W. F. Willis, John K. Chilton, O. M. Weir, Chas. M. Simon, Luther Fringie, Frank Dees, Chris Cocks, and F. B. Moore was empaneled to hear the evidence. Martin Legrada, the complaining witness, testified that he purchased the bottle of liquor from Winders and his testimony was corroborated by Constable Bradberry who testified that he witnessed the transaction. The defense put on six witnesses who swore that it was impossible to see into the room where the alleged violation of the law took place. The jury was out forty five minutes and returned a verdict of guilty as charged. Sentence will be passed upon Winders in open court on Monday morning.

Following the Winders case Beatrice Parsons was tried on a similar charge but was acquitted.

On Thursday the attention of the court was occupied in the trial of the grand larceny cases against Clarence Phillips and Delle H. Crumley, who were alleged to have been implicated in the theft of some range horses in this county. At the conclusion of the testimony in behalf of the state, on motion of the attorney for the defense, the court instructed the jury to return a verdict of not guilty, as the testimony did not warrant conviction. The similar cases against J. I. Phillips and Sylvester Phillips were on motion of the County Attorney, continued for the term.

During the week several cases were continued until the May term of court as follows:

State vs. Engle Guerrero, assault with a deadly weapon, alleged to have been committed at Metcalf.

State vs. Jose Guajardo, et al., false imprisonment.

Ramon Arrijo, Mauricio Calbo and Felix Galarza, administrators vs. A. C. Company, Ltd., for damages.

The case of State vs. Francesca Forsetti, a misdemeanor case from Morenci, was dismissed on motion of the County Attorney.

New suits filed this week included an action for divorce brought by Harry J. McCarty vs. Bessie McCarty, who were married at Douglas, Coffee County, Georgia, on December 25th, 1911. The plaintiff alleges desertion which occurred in January, 1915.

Peter A. Brenner has filed a divorce suit against Alice Brenner who resides in Tucson where the marriage was performed in April, 1912. The plaintiff alleges that his wife deserted him while he was in Mexico in 1907.

Silverna Valdez de Hernandez has brought suit for divorce against Guadalupe Hernandez.

In the Justice Court this week Roman Mesa was released on bond in the sum of \$100.00 awaiting preliminary hearing for an assault with a deadly weapon on a Mexican at Morenci. The arrest was made by Deputy Sheriff Tom McCullough.

I. O. O. F. Delegates—

At a meeting of Copper City Lodge No. 18 this week delegates to the Grand Lodge which meets in Bisbee this year were chosen as follows: George Reltzer, C. C. Dawber, Jas. Kilsby and John Patterson. The alternates chosen are George Robinson, H. V. Combs and Walter Tappin. Copper City Lodge is in a flourishing condition.

State Committee Meeting—

Members of the State Democratic Central Committee from Greenlee county this week received notice of a meeting of the State Committee at Phoenix on Saturday, March 4th, next, for the purpose of determining the time and manner of selecting six delegates and six alternates to represent the democracy of Arizona at the National Convention to be held in St. Louis in June.

MISS CHARLOTTE CAPERS



Miss Capers, daughter of Mr. and Mrs. John G. Capers, is one of the season's beautiful buds in Washington.

WINDMILLS OF HOLLAND

Musical Department of Clifton High
School Will Repeat Performance

The Music Department of the Clifton High School has been requested to repeat the "Windmills of Holland." Second performance, with vocal solos and interesting specialties between acts, in addition to the program of the first performance, will be given at the High School Auditorium on Tuesday evening, Feb. 22, 8 o'clock. Admission 25 cents.

Plot.—Bob Yankee, an American salesman who is endeavoring to introduce modern machinery into Holland to do away with the picturesque mills, gains the confidence of a rich farmer and his family. The action of the opera portrays the simple life of the Hollanders and their love for the old mills.

This opera was given a month ago and received enthusiastic praise from the audience.

Between acts 1 and 2 next Tuesday evening Mrs. J. A. Davis will sing a solo and Wayland Bills will sing "Tulip Time in Holland," accompanied by the "Windmills Chorus" in song and dance. Adam's orchestra will furnish the music.

The cast of characters are as follows:

Mynheer Hertogenbosch, Rich Holland Farmer—Howard Jones.

Vrouw Hertogenbosch, his wife—Margaret Stubbins.

Wilhelmina and Hilda, their daughters—Mildred Weis and Rita Risdon.

Bob Yankee, American salesman—Wayland Bills.

Hans, student of Music in Love with Wilhelmina—Daniel Romero.

Franz, rich Farmer's Son in Love with Hilda—Albert Paxton.

Katherine, Rich Farmer's daughter—Ellen Thompson.

SCHOOL IMPROVEMENTS

Trustees Propose Bond Issue For
Better Accommodation of Children.

For some time past the Board of Trustees of this District felt the necessity of additional room at the grammar school building in Hill's Addition. Although the eighth grade pupils were this year moved to the High School building, some of the grammar school rooms are overcrowded. After giving the matter careful consideration the Board of Trustees, Messrs. Alt, Coffey and Risdon, at a special meeting held on February 14, decided to relieve the congested condition at the Hill's Addition school, and at the same time provide for a gymnasium building to be used also as an Auditorium, manual training and domestic science building. By the erection of this building the sixth and seventh grades can be transferred from the grammar school to the High School building.

It is estimated that the total cost will be in the neighborhood of \$25,000 and a bond issue will be proposed for the following purposes:

1. To purchase lots in Chase Creek.

2. To purchase lots in rear of High School.

3. To build and equip a manual training, domestic science and art, gymnasium and auditorium buildings.

4. To improve the High School lots, and South Clifton School and grounds and building in North Clifton and place fire escapes on all buildings.

The plan proposed by the trustees is meeting with popular favor among the patrons of the school and the idea of a school gymnasium is one heartily recommended. It is probable that the bond election for this purpose will be held some time in March.

MANAGERS IN SESSION WITH EMPLOYEES

Committee of Employees For Discussion
of Grievances and Conditions
of Labor in Session With Employ-
ers This Week.

PLEASANT RELATIONS EXIST

Conference Will Probably Last Several
Days With Wage Scale Prin-
cipal Topic Under Discussion

On January 8th last the mine managers of this district, Norman Carmichael, Milton H. McLean and J. W. Bennie, in a statement of their position with reference to a resumption of industrial activity in the district, expressed their willingness to meet a committee of their employees, after operations had been resumed, for the discussion of grievances.

In accordance with that statement the mine managers invited a committee of their employees to meet with them for that purpose this week and the first meeting was held on Thursday morning at ten o'clock in the general offices of the Arizona Copper Company at Clifton.

When the committee made its first appearance it was made up of thirty members, composed of employees of the three companies, representing the several departments of labor. The managers considered the number of committeemen too large and suggested that the number be reduced to fifteen. This was agreed to by the employees and an adjournment taken until one o'clock p. m.

At that hour the following named employees returned and at present constitute the conference committee: Chairman—Theo. Hollingsworth, A. C. Co. Clifton. Secretary—C. P. Edmondson, A. C. Co. Clifton.

A. C. Co. Employees, Clifton—Dick Walsh, Rudolfo Paisanos, Chas. Duval.

Shannon Employees, Clifton—Encarnacion Lucero, Francisco Maese.

A. C. Co. Employees, Metcalf—Pedro Mireulo, Lido Dominguez.

Shannon Employees, Metcalf—Nolberto Gonzales, Hilario Pena.

D. C. Co. Employees, Morenci—Frank J. Starr, Fred W. Harris, Jose Bernal.

A. C. Co. Employees, Morenci—San Bridges, Ygnacio Aja, Camuto Vargas.

In addition to the three mine managers the conference is being attended by A. T. Thompson, Assistant Manager of Phelps, Dodge Co., and Hywel Davies and J. S. Myers, Federal Investigators, representing the Department of Labor.

As the Era goes to press the conference is still in session and is likely to continue for several days yet. According to reports emanating from the conference room the employees and the managers are enjoying most pleasant relations and the sessions so far have been marked by good feeling on both sides.

It is learned that rapid progress was made on Thursday afternoon in disposing of some questions. A mutual agreement was made that the minimum wage in the district for common labor should never drop below two dollars a day for eight hours, regardless of any sliding scale that might be introduced. Also it was mutually agreed that there would be no discrimination on account of membership in any labor organization by the companies nor on the part of employees against any employee who was not a member of any organization.

According to reports very little progress was made by the conference on Friday, most of the session being spent in a discussion of the sliding scale and the policy of the companies in this district in paying for seven and one-half hours work underground instead of eight, the deduction of thirty minutes being made for the lunch hour. The conferees are contending for eight hours pay maintaining that the eight hour law contemplates pay for all time the men actually spend underground.

The sliding scale under discussion provides for a different rate of increase for different classes of labor as copper advances one cent per pound. It is stated that the conferees are advocating the same rate of increase for all classes of labor.

Every indication points to an amicable adjustment of all matters under discussion, all rumors of a deadlock and open split to the contrary, notwithstanding.

GRUESOME DISCOVERY MADE BY FARMER

While operating a scraper on the Colmenaro irrigation canal on last Saturday, says the Duncan News, John K. Chilton, a farmer located on the Gila a few miles below Duncan, unearthed the skeleton of a man.

There were a pair of shop-made boots on the skeleton which were in a remarkably preserved condition.